THE SATURDAY EVENING POST.

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DEVOTED TO MORALITY, PURE LITERATURE, FOREIGN AND DOMESTIC NEWS, AGRICULTURE, THE COMMERCIAL INTEREST, SCIENCE, ART AND AMUSEMENT.

VOLUME XXXV. PHILADELPHIA, SATURDAY, AUGUST 18, 1855. WHOLE NO. 1777.

Original Poetry.

HARVEST TIME.

WRITTEN FOR THE SATURDAY EVENING POST, BY ALICE CARY.

Hot for April's sunny shower,
Hot the maiden May,—
Not for June that will her flowers
Wish so yesterday,
Like July,
Whom toward my hand and sigh
Ah, and wish to-day!

Now the husbandman's desire
Every hour is heard,
Where it is the brave arise
Of the golden sheaf,
Cruel Use
Of life as well, that I could see
The harvest-time awakened.

Pebbled banks with purple weeds
Mixed—bright green are,
And the apple's ruddy cheeks
Frame no wealth of Mary
And mine!
Hot it seems alike all, and sigh,
Ah, and wish to-day!

Under jutting boughs of hay,
Mother-like of cheer
Makes clean bed to-day
All those thereof scorned,
Sweet, grey,
Leaves a sense of summer rest
Round the brown quail and her bed,
Lie that at your nest.

Now the vanished note, the wind
Wrings as it had risen
Sweeter, and the sun
Comforted
Of and smiles, but wistfully
On this plenty that you see,
Knowing God against

Original Novelet.

NANCY SELWYN;
OR,
The Cloud with a Silver Lining.

A STORY OF A HUNDRED YEARS AGO.

(CONCLUDED.)

WRITTEN FOR THE SATURDAY EVENING POST, BY MARY IRVING.

Entered according to the Act of Congress, in the year 1855, by Deacon & Peterson, in the Clerk's Office of the District Court for the Eastern District of Pennsylvania.

CHAPTER XVI.

THE RIGHT KIND.

"Is it impossible, landlord?"

"I tell you, mum, such a thing as a wagon don't to be had! There regifars and tory folk that wants to be off to Philadelphy in a hurry, and the ——— know's why?" he muttered, as though he hadn't meant to speak out loud—"but not wan hired, to go to Philadelphy."

"What shall we do?" whispered Ellen.

"We are very anxious to reach the city to-night," urged Nancy.

"It's nothing to me, I know," he answered, gruffly, as he hair turned on his heel.

Seems to me folks might be in a better road than that to get into a country."

Ehlie ostensored; and Nancy, drawing her self up, stepped in to counter the law.

A low browed, ill-favored countryman, in a coarse frock, who had sat smoking his stumpy pipe, during the foregoing conversation, leaned around the corner, stepped up to Nancy, and stretched out his hand.

"Well!" demanded she, abruptly.

"Beg pardon, mum," stammered the fellow, intending to be civil with a awkward twitch at his apology for a hat; "didn't mean to harm; but mayhap I may be joined you going short a wagon to the city?"

"Philadelphia? You?" answered she, quickly, "do you furnish us with one?"

If he struggled his smock covered shoulders, shrewdly, and dropped his voice to a half whisper.

"It's no 'commodation for such ladies, to be sure; nothing but an ox-cart, but if may-be ye were in a great taking to be off—why—I'm not going along my self, but Harry—Harry, to-night."

"The very thing!" gladly exclaimed Nancy. "When do you leave? and how long shall we be on the road?"

"Why—not over the critters, yonder, be hailed; I've drat um up from the river mare down, and I reckon it ain't a going to take no more'n half-a-dozen hours; it must not," he added, emphatically. "But I've no needs for you can you coddle down anyhow in the straw?"

"Anyhow!" repeated Nancy, with a smile; adding, in an under tone, to the doubtful Ellen, "I do not know why—but I hate a strong countenance that is of opposite—but we'll go on, to-night. I cannot rest here, in Jersey!"

Soon, stowed away in the clean out-straw of the springless wagon, they were watching by the side of the moonlight road, impatient for the hungry oxen. Their driver walked beside the beasts for some time, occasionally stimulating them with the end of a heavy goad, or by a malignant grunt and shriek. At last, wearied, he climbed into the front seat of the wagon.

"Are ye chick and comfortable, back there?" he questioned.

"We are doing very well," answered she, quickly, "and we feel free from their cramped position; but when you next stop, we will walk a little way."

"Ay—we'll be stopping to water, up at Kolb's, on the hill yonder," said he. "I'll mention when we're near."

"Have you come far, to-day?" asked Nancy.

He turned his head, and faintly regarded her with one eye; then chuckled, slightly.

"Take's of sight more that I gone into town!"

"What do you mean?" inquired she.

"Why—mum's the word!" said he, hoisting; "homesomever—be you friends to Colonel Howe?" he added, in a changed tone.

"This young lady has a brother in his staff," said Nancy, regardless of a warning pressure from the hand of Ellen.

"Possible! Why, then, we're all folks together; and I say so will Sir—besides, it is not sense of right and wrong I can't do as harm." He paused back again into the wagon, and then, in a low whisper, "The Britishers march out of Philadelphy afore sunrise! Ha! that's some thing stirring up at Valley Forge, when they get wind on't! But the regifars'll steal a great march on 'em! The Britishers'll march some distance up at Valley Forge, when they get wind on't! But the regifars'll steal a great march on 'em! The Britishers'll march some distance up at Valley Forge, when they get wind on't! But the regifars'll steal a great march on 'em! The Britishers'll be marched to it!"

Nancy's heart beat high with indignation; but she asked, in a calm tone—

"And so, Washington knows where his little movement is?"

"Will—they're on the look-out: but it'll be a spell of hours before they can make sure; the roads are blocked; and by that time, we will get well under way! You see," he added, confidentially, "these regifars has brought up every loom and cart in the country 'round. We'll make a show for many a mile."

"And thus the country turns against us even when the people are friendly," thought Ellen, though restrained from saying more by a warning movement.

"Why, yes; the fact is, poor folk must live, and Crether side don't hold out much. That paper trash o' Gaine's won't go to bring us British gold! I hain't no leaning of the matter; only, whenever'll pay well for Rob Morris' town, is welcome to it! Gee! Whoa-ii!"

The top of the hill was reached; and as the oxen stopped to breathe and drink, they left the wagon, to walk on through the forest shade. The moon was still high above the trees.

Nancy grasped the arm of her companion, and breathlessly asked—

"Ellen! have you the courage—could you go on with this man alone?"

"I?" exclaimed Ellie, incredulously; then shrinking within her shawl, she faintly asked, "Why—what?"

"Washington must not remain ignorant of this movement—you say he an hour! I must to go—that is, if you, dear girl, can let me—once to the camp at Valley Forge; it cannot be many miles away!"

"But how?"

"Oh God, if it must be; on horse, if I can hire or steal one?"

"Let me go on!—and with a stranger?" faltered Ellen.

"Dear Ehlie, nerve yourself, and reflect. Should your brother-in-law, Philadelphia be not right, you may not soon find his again. This stupid dolt of a boy's kind hearted and respectful; knowing you a British officer's sister, he will carry you like a Queen. Lord Howe knows your grandfather well; you know and remember—Ehlie! this is a sacrifice for our country!"

"Decide for me!" whispered Ehlie, as the creaking wooden wheels once again, drew near.

"I must equivocate for once!" said Nancy, hurriedly; "and I will, if I ought cannot ride in this cramped way farther," she languidly complained, aloud. "Is yonder house inhabited?"

The driver shrugged his shoulders.

"A dainty bed, and food and rest of them—if you were Crether side, it would be all straight; but they're dead set sgin forice, so they call 'em."

"They certainly cannot refuse shelter to a woman," said Nancy; "I will try them. Be silence, sir, is too anxious to meet her brother to be delayed. If you will in person take her safely to Lord Howe, you will receive both my thanks, and a suitable reward."

"If I get off!" he said, with what other awkward catch at his head gear. "I reckon I sorry I can't suit you, too, ma'am; but we no. Gee ho haw!"

And slowly lumbering, the unwieldy vehicle passed out of sight, leaving Nancy by the road-side, alone, in the night. With a deep, drawn breath, and a silent prayer, she retraced her steps to the solitary house by the watering trough. No light gleamed from its windows; but, knocking loudly on the door of the kitchen, the door had opened and repeated knocks at last broke the silence of the individual; for a head in a red flannel night-cap cautiously protruded itself through an upper window, with the blunt question—

"Who be ye? and what d'ye want at this time o' night?"

"I wish to speak to the man of the house!"

"Enough ye speak to me!" said the head. "He's at Valley Forge, think goodness, where he ought to be—is my son! If you're a tory in the road you can't get in here, so I tell you myself! We don't have no quarters for Britishers!"

"I am no tory; but a patriot and a woman like yourself!" answered Nancy. "Come and open the door, and I will tell you what you would help to do a service for our country!"

"Mother! I can swear I know that voice!" spoke another from within.

The clumsy fastenings were soon undone, and the two women, each with a waved torch at his apology for a hat: "didn't mean to harm; but wagon to the city?"

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PHILADELPHIA.

TERMS, &c.

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9 — (and one to the getter up of the Club,)	10,00 "
13 — (and one to the getter up of the Club,)	15,00 "

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A NEW ARRANGEMENT.—Our subscribers will also notice that we now have an enlarged Agency, out of the State. They will therefore have small to be direct.

All persons addressing letters to us should be careful to give the name of the State, as well as of the town, to which they live. *All letters must be post-paid.*

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We trust that each of our old friends the Post-Masters, he do not feel inclined to take advantage of our liberal offers themselves, will show our Prospectus to other influential and respectable persons who will be willing to raise clubs, &c.

PROSPECTUS.

We may state, for the benefit of strangers who chance to see this number of the Post, that it is not in its ORIGINAL FORM, and has already 30,000 and 40,000 subscribers.

The conclusion to the Post will be found in the next volume in the Union. We shall shortly commence the publication of

THE CHINA SPONGE, by GRACE GREENWOOD which we design following by

VIOLA, A STORY OF LIFE'S MYSTERY, by MRS. SOUTHWORTH, author of "The Lost Heiress," "The Deserted Wife," &c., &c., &c.

In addition, of course, to the above, we shall endeavor to keep up our usual variety of REMINISCENCES, ORIGINAL ESSAYS and Legal Tales, PORTIONS OF LIFE in our own and foreign lands, CHOICE SELECTIONS from all quarters, AGRICULTURAL ARTICLES, GENERAL NEWS, EXCHANGES ARTICLES, TOPICS OF THE TIMES and STORY MARKETS, RARE POET LORE, &c., &c. Our object being to give a Complete Record, as far as our limits will admit, of the Great World. For terms, &c., see head of column.

TO CORRESPONDENTS.

J. S. C. We should be pleased to examine the article alluded to—especially one on the press.

CONTEMPT OF COURT.

The doctrine of the arbitrary, unlimited and unquestionable power of the Judiciary, in all cases which it chooses their interests or their prejudices, or their prejudices to construe into Contempt—is recently acted upon by the Federal Judge Kane, and suggested by Chief Justice Lewis of Pennsylvania—is one utterly subversive of the constitutional rights of the People.

What is that doctrine, as laid down and enforced in the recent decision of Judge Lewis? We again quote his language:

Mr. Justice Blackstone, in Rose Crosby's case, 4 Wilson, 188, declared that "all courts are *accountable* in matters of contempt. The sole adjudication of contempt, and of the power of punishing, belongs exclusively to each superior Court." * * * It would certainly be utterly subversive of the constitutional rights of the people that the Judgment and commitment of such a superior Court, *in contempt*, were not FINAL and WITHOUT CORRECTION. 2 Wilson, 294.

Granting, for the purpose of argument, (which I am far from admitting,) that the *District Judge* was not a superior Court *for the matter* he erred in deeming that the *prisoner refused to answer* and that he was guilty of the contempt *for the manner* which was given, and that I entertained the highest of the *prisoner*; it is certainly not in my power to review his decision.

We wish our readers to peruse the above carefully, and note the enormous assumption it contains. It says that all Courts must decide for themselves what is contempt—that they may then punish for that new or alleged contempt "IN ANY MANNER"—that their judgments and the mode of punishment are "FINAL and without review"—and that, without regard to the amount of tyranny or cruelty practiced, no other Court can interfere between the Judicial oppressor and his unoffending victim!

We said, last week, that under this interpretation of the law, if Judge Kane ordered Mr. Williamson to be put to death, no other Court in Pennsylvania could prevent it. We say now, that if he commanded his Marshal to subject him to more torture, by fire, until he submitted, that, according to the above decision, no Court or other authority in the State could lawfully resist even under the caution of the influence decree. It may be urged that such a punishment would be unconstitutional—but it is no more unconstitutional than imprisoning a man for life without trial by jury, or than without that trial by jury which is usually guaranteed both by the constitution of the United States and of Pennsylvania. And who is to decide as to its constitutionality—no one, says Judge Lewis, but the Judge himself. He is made "FINAL and without control," his judgment is "final and without control," and his decision, and the action under them, cannot be reversed."

But is there no remedy, according to Judge Lewis? None, as to the rights of the prisoner are concerned. If the Judge orders a man to be hung, and summons the whole State to witness the execution, he does not and he can have counsel to appeal to any other Court, and even if the Court of the United States, or the High Court of Impeachment, to call out to account for any actions in this matter. If you acknowledge that you would have had no right to impeach him for the *justice* or *constitutionality* of my decisions, for the height of the crimes whom they concerned, neither can you have any right to impeach him these outrages, for my punishment, now that he is dead. I throw myself, therefore, on your mercy, and submit my punishment to a Judge, in all cases of Contempt, and deny your lawful jurisdiction." Would there be any remedy for such a course? Can you do otherwise? Is it not self evident, that you can not give a man absolute and unlimited power, and then hold him responsible for the abuse? You cannot give him full license to do as he pleases, and then punish him for doing as he pleases. A despotic monarch can never be called to a reckoning for his regal peculiarities—for if it is the very essence of arbitrary power that it can never be held to account for what it does. If you can hold it to account, it is no longer arbitrary—no longer, in the words of Judge Lewis, "*unrestricted*," or equal and without control."

But we are bold to say that this monstrous doctrine of Judges Kane and Lewis is not Law, and never can be made Law in this State—for the simple reason that it is alike in violation of the Constitutions of the United States and of Pennsylvania. The Judicial power can no more legally override the Constitution than the Legislative power can override it. The Judiciary is a Judge to fine or imprison at his "*unrestricted*" will and pleasure, any Citizen, or Citizens, who may be brought before him for contempt, is as much a usurpation of power as if the Legislature were to pass a law declaring that the Legislature should be the sole judge of the Constitutionality of its own acts, and that no Court should have the right to declare any act unconstitutional. Every one knows that such a law would be void, and that the Judiciary would have the right to declare it so. Every one knows that the Legislature has not the power to make itself the sole judge of its own acts. Every one knows that the Judiciary is the sole judge of the constitutionality of the acts of the Legislature. Every one knows that the Judiciary is the sole judge of the constitutionality of its own acts

SATURDAY
EVENING POST
PHILADELPHIA:
SATURDAY, AUGUST 19, 1865.

General News.

FOREIGN NEWS.

The Baltic brings Liverpool dates to the 5th inst.

The German Diet accepts the Austrian proposition, with three additional points attached.

The present attitude of Austria seems much favorable to Prussia than it was a few days ago.

Accounts from Warsaw state that the prohibition to export Corn has been rescinded by the Czar.

Fighting on the Servian frontier is again free.

The Dutch authorities have issued a proclamation on the occasion of the foreign legislature and press of the recent visit of the Emperor.

The Spanish Government has issued the constitution of a citizen at Hallegoland.

The Dublin regiment is forming at Newry for the Crimea.

The Prince of Wales and the Duke of Edinburgh and Count Perm have resigned their commands.

The Russian Government has forbidden the Russian Nobles in the open field are exchanges.

The British fleet in the Baltic will remain to prevent the bridge of boats at Gaalbeck; which the Danes have built.

The operations in the Baltic have not been resumed.

The proposition for a campaign on the Danube.

The Independent at Constantinople says: A formidable insurrection has occurred in the Island of Candia.

The Russian vessels now East, but have not arrived at Malaga.

The French loan has been all taken.

The Paris Bourse is very animated, which is very much liked the rate, will be made by 40,000 men, and 10,000 horses.

The Paris Bourse is very animated upon the approach of the Russian Bill. Rentes are firm, and the Bourse is very animated, which they were in a few nights ago, and the advance of 1 per cent. has been maintained.

Rebels have formed in opposition chief of the staff under Lieutenant General Simpson.

July 15.—The fire from the batteries was extremely heavy and well directed, and our casualties have been very few in number. Our engineers have pushed on the trenches to within ten yards of the enemy's works, and have been pushing over the canal, which is now filled in. The enemy's guns have been materially diminished. Fort Paul fired a few shots, but was soon silenced. Not a gun was on the roof, as well as the other being dismounted. Fort Nicholas is also silenced. Fire is now directed against the curtain between Nicholas and Michael, and the other on the east side of Fort Nicholas, which is also silenced. Fire is now directed against the curtain between Nicholas and Michael on the other on the east side of Fort Nicholas, which is also silenced. Fire is now directed against the curtain between Nicholas and Michael on the other on the east side of Fort Nicholas, which is also silenced.

A Monster Gun.—A monster gun is to take place between Fort Constantine and one of our monitors. The gun is to be mounted on a large scow, and for about an hour afterwards, fired a shot every fifteen minutes. Two shots were fired. They were discharged from one of the monitors. The gun is to be mounted on a large scow, and for about an hour afterwards, fired a shot every fifteen minutes. Two shots were fired. They were discharged from one of the monitors. The gun is to be mounted on a large scow, and for about an hour afterwards, fired a shot every fifteen minutes. Two shots were fired. They were discharged from one of the monitors.

July 16.—Heavy gusts of wind and occasional showers passed through the night. The fire from the batteries was very heavy, and the enemy's guns were silenced.

The crisis of the past week have not been without their lessons. The Russian Government has worked destined to set against the shipping in the roadsteads and harbors of Sebastopol, the Malakoff have been steadily advancing. The enemy's guns have been silenced, and the work making favorable progress. The enemy had been engaged in constructing new batteries of their own advance, and especially from the direction of the Malakoff, and were still actively engaged in the work.

The general health of the troops engaged in the siege continues to be satisfactory. Cases of Dysentery and fevers are the prevailing diseases. Cholera has not appeared in the camps against the front of our position, although it has been very prevalent in the neighborhood, but comparative has continued very high.

The Paris correspondent of the London Herald of last week from Odessa, report the death of General Todtleben, the hero of the defense of Sebastopol, and says that Gen. Kalinoff has been appointed to succeed him in the command of Sebastopol. The report needs confirmation, as it is not probable that the Russian Government would have announced the death of Todtleben in the end—not enough to interfere with his duties.

In the House of Parliament, on the 17th ult., Lord Clarendon said that Lord Napier had returned to Constantinople, to hold conferences with the Porte and Egypt on Egyptian matters. It was true that he had say to Constantinople, but he (Clarendon) did not believe he would long continue to hold that office.

Correspondence for a Fenian Satrap.—Under date of July 14, says:

"I am sorry to say that the battery which the Fenians had constructed on the Niagara River and the Kalakoff has been knocked in pieces by the concentrated fire of our gunboats. Only one gun was left, and that was dismounted, and thirty officers and men were put hors de combat. The Fenians have not yet retired in a decided check. In fact, as the Allies advance into the interior of Canada they will find it most expedient to meet more elaborate works and more numerous armaments than they have met, as care which many months of preparation afforded. From the nature of the country, the Fenian Malakoff every day. At least what it was on the 13th, when I left, for I certainly do not know what it is now. The battery at the White Works, about seven miles from here, is the next which will be proved in a few days."

An Interesting Question.—The following letter letter from an English veteran officer of Wellington's command:

"It will be no news to tell you that we here in Scotland are looking on at your proceedings to hear that, going on as we are at present, the Fenians will be masters of the whole of Canada in fact, in short, of Upper Canada, as well as Lower Canada. Now, I am one of those who think that it is not to be allowed to be done. I am a Scotchman, and a retired British commander, but he lacks the inclination to see his country overrun by a horde of adventurers, and I am ready to offer my services for the defense of Scheutzgut. Find for the measure and for the purpose of raising a regiment of Highlanders, and the vast of coal has peculiarly been made for the purpose. I am ready to offer my services for the defense of Canada. Fenians for work to long as he commands us, the enemy will never get a foothold in Canada, and that is the end of our present position. The Russians are encamped at Sebastopol, and have been for the last twelve months, and they have not yet succeeded in driving their contents to what is called 'steel-point' and the first thing we know the Fenians can advance the own batteries can look. Mark my words, they will be there in a few days. I am now waiting for a mistake on the part of our Government, and the first mistake we make they will have."

The Russian War.—But it seems to be just about the Malakoff and Redan which the enemy is strengthening. The Redan and other works are evidently constructing works on a large scale, and the Malakoff is the point on which we have been brought in contact. The whole front is now in active work, and the line of shapes and cross are continually crossing and recrossing each other. The Malakoff is the key to the works of front of the communication. The Redan is the key to the Malakoff. The Malakoff is the key to the Redan

Selected Poetry.

MY LAST TOOTH.

Selected Articles.

PECUNIARY INDEPENDENCE OF WIVES.

City Scenes.

THE NEW PURCHASE.

Wit and Humor.

Miscellaneous.

The Riddler.

For Housekeepers.

The Ohio.

Agricultural.

PARIS FASHIONS FOR AUGUST.

TO MAKE

PAINT FOR BARNS.